

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**PENINSULA PETROLEUM FAR EAST  
PTE. LTD.,**

*Plaintiff,*

**v.**

**CRYSTAL CRUISES, LLC AND STAR  
CRUISES (HK) LIMITED,**

*Defendants.*

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**No. 3:22-CV-00241-L**

**In Admiralty**

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**GARNISHEE BANK OF AMERICA, N.A.’S UNOPPOSED MOTION  
FOR EXTENSION OF TIME TO ANSWER WRIT FOR  
MARITIME ATTACHMENT AND GARNISHMENT**

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COMES NOW, Garnishee Bank of America, N.A. (“Bank of America”), and respectfully moves the Court to issue an order extending Bank of America’s deadline to answer that certain *Writ for Maritime Attachment and Garnishment* (the “Writ”), Docket No. 18,<sup>1</sup> until five (5) business days after such time as judgment is entered in the above-captioned Civil Action awarding monetary relief against Crystal Cruises, LLC and/or Star Cruises (HK) Limited, and in support thereof, would respectfully show unto the Court as follows:

1. On January 2, 2022, the Court issued that certain *Order for Issuance of Process of Maritime Attachment and Garnishment*, Docket No. 11.

2. On February 9, 2022, the Clerk of this Court issued the Writ directed to Bank of America.

3. The Writ was served upon Bank of America on February 9, 2022. *See* Docket No. 20.

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<sup>1</sup> Bank of America respectfully requests that the Court take judicial notice of its own file for all purposes herein.

4. Supplemental Rule B(3)(a) for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions provides that “[t]he garnishee shall serve an answer . . . within 21 days after service of process upon the garnishee.”

5. On February 18, 2022, defendant Crystal Cruises, LLC, and nonparty Mark C. Healy, assignee of Crystal Cruises, LLC, appearing specially, restrictively, and solely as Claimants of the garnishment proceeds herein, filed that certain *Motion to Vacate Rule B Attachments*, Docket No. 22, and *Memorandum in Support of Motion to Vacate Rule B Attachment*, Docket No. 23.<sup>2</sup>

6. Extending Bank of America’s time to respond to the Writ will not prejudice any party because it is a pre-judgment writ of attachment and garnishment.<sup>3</sup>

**Certificate of Conference**

The undersigned certifies that on February 28, 2022, he conferred with J. Stephen Simms, counsel for Plaintiff, via telephone, and that Mr. Simms stated that Plaintiff does not oppose the relief requested herein. The foregoing motion is therefore presented as unopposed.

*[Remainder of page intentionally left blank.]*

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<sup>2</sup> Vacatur of the Writ would obviate the need for Bank of America to answer the Writ, or otherwise respond thereto.

<sup>3</sup> Since being served with the Writ, Bank of America has and will continue to comply with the dictates therein.

**Conclusion & Prayer**

For the foregoing reasons, Bank of America, N.A., respectfully requests that the Court issue an order extending Bank of America's time to answer the Clerk of this Court's February 9, 2022 *Writ for Maritime Attachment and Garnishment* until five (5) business days after such time as judgment is entered in the above-captioned Civil Action awarding monetary relief against Crystal Cruises, LLC and/or Star Cruises (HK) Limited.

Respectfully submitted,  
**ADAMS AND REESE LLP**

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*Attorneys for Bank of America, N.A.*

**Certificate of Service**

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record through the ECF system on this 2<sup>nd</sup> day of March 2022.

/s/ Evan A. Moeller  
Evan A. Moeller